

# Public Document Pack



## DORSET COUNCIL - WESTERN AND SOUTHERN AREA PLANNING COMMITTEE

### MINUTES OF MEETING HELD ON THURSDAY 28 MAY 2020

**Present:** Cllrs Simon Christopher (Chairman), David Gray (Vice-Chairman), Pete Barrow, Kelvin Clayton, Susan Cocking, Jean Dunseith, Nick Ireland, Louie O'Leary, David Shortell, Sarah Williams and Kate Wheller

**Also present:** Cllr Tony Alford, Cllr David Walsh and Cllr John Worth

**Officers present (for all or part of the meeting):**

Lara Aintree (Senior Lawyer - Regulatory), Bob Burden (Senior Planning Officer), Ann Collins (Area Lead – Major Applications Western Team), Lindsay Fiello (Planning Officer), Chelsey Golledge (Technical Support Officer), Colin Graham (Engineer (Development Liaison) Highways), Hamish Laird (Senior Planning Officer), Christopher Lloyd (Tree & Landscape Officer), Jo Riley (Senior Planning Officer), Darren Rogers (Area Planning Manager (Western)), Emma Telford (Senior Planning Officer), Guy Tetley (Engineer (Development Liaison)) and Denise Hunt (Democratic Services Officer)

**105. Apologies**

No apologies for absence were received at the meeting.

**106. Declarations of Interest**

Cllr David Gray declared that he had predetermined Application No WP/19/00516/FUL - Land West of Roman Road and North of Spa Road, Weymouth as he had been involved with a residents' group opposing the development and had also spoken at a Weymouth Town Council meeting against the proposal. He would not take part in the debate or vote on this application.

Cllr Jean Dunseith declared that she had predetermined Application No WD/D/19/002865 - Land Adjacent Putton Lane, Chickerell and would not take part in the discussion or vote. However, she would speak as the ward member during public participation for this item.

Cllr Peter Barrow declared that he had made some comments at a meeting of Weymouth Town Council in July 2019 in relation to Application No WP/19/00516/FUL - Land West of Roman Road and North of Spa Road, Weymouth, that expressed the views of local residents. However, he had come to this Area Planning Committee meeting with an open mind and would not come to a conclusion about the application until such time as he had heard all of the information presented at the meeting.

Cllr Kelvin Clayton declared that Application No WD/D/19/002027- The Mound, Quayside, West Bay had been considered at a meeting of the Bridport Town Council Planning Committee, however, he had given his apology at the meeting when this was discussed.

Cllr Louie O'Leary declared that he knew the agent, Mr Richard Burgess on a personal level and would not take part in the debate or vote in Application No WP/19/00516/FUL - Land West of Roman Road and North of Spa Road, Weymouth or WD/D/19/001056 - Trafalgar Farm, 34 Portesham, Weymouth.

Cllr Sarah Williams declared that she had declared an interest and not taken part in the debate when Application No WD/D/19/002027 - The Mound, Quayside, West Bay had been discussed at a meeting of the Bridport Town Council Planning Committee. She further stated that this application had not been considered by the Dorset Council Harbours Committee.

Cllr Kate Wheller declared an interest in Application No WP/19/00516/FUL - Land West of Roman Road and North of Spa Road, Weymouth as she had taken part in consideration of this application as a member of Weymouth & Portland Borough Council's Planning Committee. She would not take part in the debate or vote on this application.

Cllr Kate Wheller also declared an interest in Application No WD/D/19/002027 - The Mound, Quayside, West Bay as Chairman of the Dorset Council Harbours Committee. She would not take part in the debate or vote on this application.

**107. Minutes**

The minutes of the meeting held on 7 May 2020 were approved.

**108. Public Participation**

Representations by the public to the Committee on individual planning applications are detailed below and are also attached to these minutes. There were no questions, petitions or deputations received on other items on this occasion.

**109. Planning Applications**

Members considered written reports submitted on planning applications as set out below.

**110. WP/19/00516/FUL - Land West of Roman Road and North of Spa Road, Weymouth**

*Cllr David Gray, Cllr Louie O'Leary and Cllr Kate Wheller did not take part in the debate or vote on this item.*

The Committee considered an application for the erection of 13 houses and 6 flats with associated access and parking.

Members were shown a location plan and aerial photograph showing the informal footpath to the Manor roundabout and Spa Road, listed buildings located 100metres from the site and trees alongside Weymouth Way. An extract from the Local Plan Map showed that the site was adjacent to, but outside of, the Defined Development Boundary (DDB) and the layout plan provided an overview of the basic structure of the site and the Conservation Area boundary extending over a large area including Radipole Village. It had been made clear in the report that, in the absence of a 5 year housing land supply such sites should be considered for development potential if sustainable.

The layout plans included appropriate new planting and the Senior Planning Officer drew attention to a cypress tree that was subject to a Tree Preservation Order. He confirmed that whilst this tree overhung the application site, it did not form part of it. A plan of the southern part of the site showed the scope of additional landscaping and new planting to include field maple and damson in addition to hedgerows. He confirmed that some of the existing copse would need to be removed as a result of this development.

Slides were shown of the various elevations and floor plans of the proposed dwellings in addition to photos of the site and surrounding area showing Weymouth Way in relation to the site, existing vegetation and copse, the informal footpath and character of nearby houses, including the Radipole historic buildings.

The Key Planning matters were highlighted including that the scheme:-

- was adjacent to the DDB in a sustainable location;
- considered to be appropriate development in the Conservation Area given the current context;
- included the retention of a footpath link that was improved;
- addressed ecological matters;
- included the provision of 32% affordable housing on-site with the shortfall as a financial contribution of £29,000; and
- provided an additional 19 houses to the local housing land supply.

The scheme would include 6 affordable housing dwellings on site, with the financial contribution being used to provide affordable housing elsewhere which was supported by the Housing Enabling Officer and was in accordance with policy.

A number of written submissions in objection of the proposal and a statement by the agent were read out at the meeting and are attached to these minutes.

The Senior Planning Officer responded on the following points in response to the issues raised in the written submissions:-

- That the application site outside the DDB had been explored extensively in the report under the principle of development.

- The Council's 5 year housing land supply equated to 4.83 years which undermined the housing policies in the adopted Local Plan. It was therefore necessary to look carefully at sites that came forward even when these were outside the DDB.
- The site scored highly in terms of sustainability as it was within 5 minutes' walk of local facilities, 10 minutes' walk to a local supermarket, 5 minutes' walk to a bus stop and close to the cycle network. The distance to Weymouth town centre and the railway station was 1.5 miles.
- It was unlikely that the trees along Weymouth Way would be removed as a result of this development and would remain in public ownership.
- The site was cut off from the historic buildings by Weymouth Way. This meant that there was no relationship with the historic buildings and setting of Radipole Village and it was therefore considered that this could not inform the development of this site. Although the Conservation Officer had not been initially supportive of the scheme, a logical conclusion had been reached over a period of time to draw on the qualities and character of newer dwellings and the Conservation Officer was now supportive of the development.
- Ongoing discussions had taken place with the Natural Environment Team to develop a Biodiversity Mitigation and Enhancement Plan, including ecological planting throughout the site as well as trees planted in gardens. A contribution towards Radipole Nature Reserve had been secured which was consistent with policy.
- The copse in the south eastern corner of the site was likely to be removed in part, with certain trees being retained.
- The site had been used as a pony paddock and not been used as a public space although the informal path had been accommodated within the scheme.

In addition, the Tree and Landscape Officer confirmed that the Cypress tree had been taken into proper consideration in the development proposals. He advised that the removal of trees on the western side of the copse would expose the remaining trees in a way that they have not grown up with. The ground currently occupied by the copse would become part of a garden and turn the landscape from being an ecological wildlife area into a more manicured setting with only a couple of the existing copse trees remaining that would form the backbone of the new planting.

The Highways Officer advised that the highways proposal was satisfactory, well connected to the road network and could not be refused under NPPF guidance.

*The meeting was adjourned for a short period (10.58am to 11.01am) to allow a comfort break prior to the committee debate on this application.*

Cllr Nick Ireland drew attention to comments made by the Conservation Officer and asked which of these had not been included in the scheme. He asked about numbers of people on the housing register, whether low cost housing was affordable and the need to look carefully at whether the scheme met policy SUS2 as a site outside of the DDB and not in the Local Plan.

The Senior Planning Officer stated that the scheme would provide access to local facilities and have less impact on the local countryside as it was adjacent to the DDB and scored highly in terms of sustainability. He confirmed that 95% of the design characteristics sought by the Conservation Officer had been incorporated in the latest amended plans and related to finer details of the development, including materials.

The 6 affordable housing flats would be available at 70% discount of the normal market price and met NPPF requirements. The Housing Enabling Officer was supportive of the proposal as it included smaller 1 and 2 bed flats.

Cllr Jean Dunseith outlined her concerns regarding the exit and entrance onto the brow of a hill with cars accelerating up the hill from Radipole Village and the need to conserve green spaces and for residents and children to step into green areas and be at one with nature. She was disappointed that there were only 6 affordable homes and that none of these were for rent and asked whether the discount on the affordable housing would continue if the properties were re-sold. She also asked about the location of a gas pipeline in relation to the site.

The Highways Officer stated that there had been no recorded accidents in the area during the past 5 years and that existing residents reversed in and out of driveways in the vicinity. All of the proposed houses had turning areas within their frontage and he therefore did not consider that the application could be refused on highway safety grounds.

The Senior Planning Officer confirmed that the gas pipeline was in the locality and did not cross the application site. SGN Gasworks Ltd had not objected during consultation on the application. He confirmed that any reduction in the affordable housing units would be continuously applied and was enshrined in the Section106 requirement.

Cllr Kelvin Clayton stated that SUS2 stipulated that developments outside of the DDB must be strictly controlled and that the report acknowledged that the Council was only just below its 5 year land supply. He asked whether there was any evidence of the need for 4 bed homes in the Weymouth area. In response, the Senior Planning Officer advised that the 4 bed homes were in the context of a mixed development site and were split between semi-detached and detached homes.

Cllr Peter Barrow felt that the committee was being asked to disregard plans and policies such as the SHLAA, the Local Plan and DDB in order to provide an argument for continuous expansion in the Conservation Area. He commented that, although the affordable housing element was to be welcomed, this would not have a great impact in reducing the housing waiting list.

Cllr Susan Cocking asked how much of the copse would remain and the Tree and Landscape Officer stated that the last proposed house on the south east corner of the site was entirely within the copse area. This meant that a large

proportion of the copse would disappear with 3 decent trees remaining, including a sycamore. The copse did not register as individual trees and much of it would need to be taken out due to the poor condition of individual trees. He confirmed that there were between 40-60 tree species in the copse that had been wind pruned at one edge. Removal of a substantive part of the copse represented a total change of character in that locality.

Cllr Nick Ireland stated that the proposal contravened policies SUS2, SUS3, ENV2 and ENV5. The proposal did not meet any other criteria other than sustainability and the loss of green space, irreplaceable habitat and positive contribution to the character of the area outweighed the need for housing on this site. He proposed that the application be refused.

This was seconded by Cllr Kelvin Clayton who stated that the Council's declaration of a climate emergency was a material consideration and gave more weight to policy SUS2. This policy allowed for development outside the DDB to be strictly controlled and he questioned the need for this development, particularly given the small number of affordable homes.

Cllr David Shortell asked about the results of the ecological survey and the adoption of the Roman Road extension by Dorset Highways.

Officers confirmed that reptiles had been found on site which would be translocated in accordance with the Biodiversity Mitigation and Enhancement Plan. An archaeological programme of works would also be carried out. Roman Road was currently being offered for adoption.

The Chairman adjourned the meeting at 11.58am in order that officers could formulate the wording of the reasons for refusal based on the comments made by members. The meeting was reconvened at 12.12pm.

*Cllr Louie O'Leary left the meeting at 12.08, however, he did not take part in the debate or vote on this item.*

**Decision: That the application be refused for the following reasons:-**

1. The site is outside of the defined development boundary and the Council has declared a climate emergency, as such the development is therefore contrary to Policy SUS2 of the West Dorset, Weymouth and Portland Local Plan (2015). The site is a currently undeveloped green space with a copse and is within the Conservation Area. The site is considered to make a positive contribution to the character of the Conservation Area by virtue of its openness, trees and copse and the development would neither preserve or enhance the character of the Conservation Area contrary to Policies ENV2 and ENV4 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019).
2. In the absence of a completed planning obligation the scheme would not ensure the affordable housing and affordable housing financial contribution are provided, nor the ecological financial contribution and nor would the replacement public footpath be provided and maintained. As

such the development is contrary to Policies HOUS1, ENV2 and ENV11 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019).

**111. Duration of Meeting - Time Limit**

A vote to continue the meeting was taken in accordance with Part 2, Paragraph 8.1 of the Council's Constitution as the meeting had been ongoing for a period of 3 hours.

**Decision: That the meeting be extended to allow the business of the meeting to be concluded.**

**112. WD/D/19/002865 - Land Adjacent Putton Lane, Chickerell**

*Councillor Jean Dunseith did not take part in the debate or vote on this item. She spoke as the Dorset Council - Chickerell ward member during public participation.*

The Committee considered an application for the erection of 7 dwellings on land adjacent to Putton Lane, Chickerell. The application site was inside the DDB within the wider Local Plan allocation and represented an undeveloped parcel of land that had remained vacant whilst development was constructed around it.

An additional representation raising health and safety issues in relation to the busy junction had been received that was included in an update sheet circulated to members in advance of the meeting.

Members were shown a site plan and aerial photo showing a terrace of 3 properties and a second line of development behind it with two sets of semi-detached units (4 homes in total); elevations and floor plans and photos of the site, including the proposed access and neighbouring properties.

The Senior Planning Officer outlined that the site had previously been earmarked for a GP surgery, that was subsequently considered to be inappropriate due to its size and lack of available transport options.

Cllr John Worth, Dorset Council - Chickerell Ward, addressed the committee and said that alternative sites had been identified for a medical centre that were subject to further discussions. He referred to the designation of Chickerell as a rural area in the 1997 Housing Order and paragraph 63 of the NPPF which indicated that affordable housing should not be sought for non-major housing development unless in a rural area. He felt that a deed of variation should have been applied for prior to consideration of this application due to the non-provision of a GP surgery and the lack of affordable housing.

The Senior Planning Officer confirmed that the affordable housing threshold for rural areas was 5 units if the site was in the Area of Outstanding Natural Beauty (AONB) and 10 units for this site as it was not in the AONB. The

requirement for the Section 106 Agreement to be varied was a separate matter to this application.

Cllr Jean Dunseith, Dorset Council - Chickerell Ward, addressed the committee and stated that she regretted that the Dorset Clinical Commissioning Group had rejected this site for a medical centre as it was relatively central and spacious, although she accepted that it was not ideal. She was concerned about road safety in the vicinity and that turning the access 90 degrees would provide better sight line for drivers.

A written statement was read out on behalf of the applicant which is attached to these minutes.

The Highways Officer confirmed that the proposal complied with guidance and that the layout of the scheme enabled informal areas of parking within the site. Tactile paving and parking white lines in relation to the crossing point on the north eastern corner of the site remained under discussion with the developer and would continue to be monitored.

Members were concerned about the availability of land for a health centre with some feeling that the Section 106 Agreement should be re-negotiated to provide a higher financial contribution. However, they were advised that this was a separate matter, that there remained a lack of certainty around the provision of a GP surgery on other sites and that no financial contribution had been secured at the present time.

Proposed by Cllr Nick Ireland, seconded by Cllr Kate Wheller.

**Decision:**

That the application be approved subject to the conditions outlined in the appendix to these minutes.

*The meeting was adjourned at 1.00pm for a lunch period. The committee meeting resumed at 2.00pm.*

**113. WD/D/19/001056 - Trafalgar Farm, 34 Portesham, Weymouth, DT3 4ET**

The Committee considered an application to erect a single storey dwelling. The site was adjacent to the DDB and within the Portesham Conservation Area.

The Chairman reminded the committee that ownership of property was not relevant to the planning decision.

Members were shown a location plan showing Portesham and Front Street, with land owned by the applicant outlined in blue; an aerial photo showing the application site in red; a site plan and elevations and floor plan.

Photos were shown of the site entrance of compacted crushed stoned, adjacent grade II listed building; properties on the other side of Front Street;

various views of the site including an existing caravan and semi delapidated farm buildings.

No changes were proposed to the access and there had been no objection to the application by the Highways Team. An existing mobile home on the site had a certificate of lawful use and was permitted development. It was likely that the applicant would use this until the new building was constructed.

The policies and issues were highlighted, including that the proposal was adjacent to the DDB, would add to the housing supply, would not cause significant harm to the Conservation Area, was of a single storey design and the existing caravan / mobile home had established use.

The Senior Planning Officer advised that she had received confirmation of the applicant's ownership of the land and that the application had been made correctly. However, ownership was not a planning matter or material consideration in the consideration of this application. This was reiterated by the Solicitor who confirmed that she had seen the land registry entry showing the appropriate ownership and that the Council was not required to look behind that entry.

Written submissions by Cllr Ray Doggett - Chesil Bank Parish Council and the agent were read out at the meeting and are attached to these minutes. A written submission by Paul Dunlop - Blanchards Bailey Solicitor was not read out in its entirety due to the personal nature of its contents.

The Chairman asked whether the site was within the curtilage of the listed building.

The Senior Planning Officer stated that there was a clear definition between the garden of the listed building and the application site that did not give the impression of being within the curtilage of the listed building.

The Solicitor commented that the setting of the listed building was relevant and that the committee had to determine the application before it rather than alternatives that may be forthcoming.

Proposed by Cllr David Gray, seconded by Cllr Kelvin Clayton.

**Decision:**

That the application be approved subject to the conditions outlined in the appendix to these minutes.

114. **WD/D/19/002093 - Old School House, Looke Lane, Puncknowle, Dorchester, DT2 9BD**

The Committee considered an application to erect a double storey extension and alterations.

Members were shown a site location plan; aerial view of the former school which was now a village hall; proposed site plan; photos of the site from various viewpoints; proposed elevations and floor plans and materials slide.

The Key planning points were highlighted including;

- Principle of development - extension to dwellings in villages with no DDB was normally considered acceptable in principle;
- Amenity - not considered to result in a significant adverse effect on living conditions of neighbouring properties or future occupiers of the proposed development;
- Design & impact on setting of heritage assets considered acceptable given the Conservation Area designation and what was outlined in the Conservation Area Appraisal for this village;
- Detrimental impact, eroding character of Old School House and Old School;
- Mentioned 4 times within the Conservation Area Appraisal and is a locally important building, a key view within the village and a landmark; and
- No overriding public benefit to outweigh the less substantial harm as set out in NPPF.

The reasons for refusal due to the scale and bulk of the extension and its impact on the conservation area were outlined.

Written representations were received from Cllr Philip Fry - Chairman of Puncknowle and Swyre Parish Council and the Agent which were read out at the meeting and are attached to these minutes.

In response to a question regarding UPVC windows, members were informed that the existing building was not listed and already had UPVC windows, and that the applicant was reciprocating that approach.

The Chairman drew attention to maintaining affordability of homes in local villages outlined in the Local Plan and that this extension would make this property less affordable in future. Officers referred to Local Plan paragraph 5.2 and acknowledged that this development would represent a significant increase in value.

Members were shown a plan identifying the wider Conservation Area boundary and listed buildings in the area. It was confirmed that the properties in the vicinity of the application site were characterful but were not listed.

Some members expressed support for the application and considered that it would not unduly impact on the Conservation Area. They noted that the extension would not be seen from Church Street and that extending the building would help a young couple to stay in the village and turn the property into a modern family home.

Some conditions were suggested should the application be approved that included the standard 3 year commencement period, a plans list condition and

external materials to comprise of stone and rendered walls with a slate roof and UPVC fenestration.

Proposed by Cllr Kate Wheller, seconded by Cllr Nick Ireland.

**Decision:**

That the application be approved subject to the conditions outlined in the appendix to these minutes.

115. **WD/D/19/001397 - Sunnyside Cottage, Highgate Lane, West Knighton, Dorchester, DT2 8PE**

The Committee considered an application to erect a double garage with annexe accommodation.

Members were shown a site location plan; aerial view; site plan; an extract showing the DDB and Conservation Area boundaries, listed buildings and modern residential buildings; proposed elevations, floor plans and site plan, a bird's eye view of the proposal and google images of the application site.

The key planning matters were highlighted and the Area Manager - Western stated that this was a well-designed scheme and that the principle issue was not one of affordability, but whether the structure sat well in the Conservation Area, whether it was harmful to the amenity of neighbours or in its impact on the listed buildings.

Written submissions had been received from Nicky Busst (Planning Officer) and Cllr Martin Mitchard (both of Knightsford Parish Council), the applicant and the agent which were read out at the meeting and are attached to these minutes.

Cllr Roland Tarr - Dorset Council - Winterborne and Broadmayne ward, stated that he represented the interests of the Parish Council and had requested that this application was considered by the committee.

Members asked about the height of the building in relation to the neighbouring property. Members were informed that the previous scheme had been higher and that officers considered the scale was now acceptable and not sufficiently dominant to warrant refusal.

Proposed by Cllr N Ireland, seconded by Cllr Sarah Williams.

**Decision:**

That the application be approved subject to the conditions outlined in the appendix to these minutes.

116. **WD/D/19/002027 - The Mound, Quayside, West Bay**

*Cllr Kate Wheller did not take part in the vote on this application.*

The Committee considered an application for the removal of a shipping container and erection of a building used to house and refill diving tanks.

Members were shown a location plan, site plan, elevation and floor plans, photos of the application site and surrounding harbour area.

The policies and issues were highlighted, including impact on the Conservation Area and on the setting of the listed harbour wall and buildings.

Due to the small scale of the proposal it was not necessary to include an Environmental Health condition in relation to the timing of demolition work.

Cllr Kate Wheller addressed the Committee as Chairman of the Harbours Committee which had asked the Harbour Master to improve harbour income. This application followed a successful trial period of supplying air to the diving community from an existing portacabin.

Proposed by Cllr Nick Ireland, seconded by Cllr David Gray.

**Decision:**

That the application be approved subject to the conditions outlined in the appendix to these minutes.

**117. WD/D/19/002947 - Land Adjacent to Railway Station, Off Station Road, Maiden Newton, Dorchester**

The Committee considered an application for the construction of a three metre-wide multi use path between Station Road and the former Branch Line to Bridport.

Members were shown a location plan, aerial view, a plan showing an area of mitigation for the reptiles, photos of the footbridge over the railway and location of the path.

The key planning matters were highlighted including:-

- that the layout and design was considered acceptable;
- no significant harm to neighbouring residential amenity;
- some loss of self-set trees on site and impact on wildlife habitat in respect of reptiles;
- a certified approved Biodiversity Mitigation and Enhancement Plan accompanied the application and its implementation could be conditioned; and
- there were no material considerations which would warrant refusal of the application.

A late representation had been received that was circulated in an update sheet to members the day before the meeting.

Cllr Anthony Alford, Dorset Council - Eggardon Ward, addressed the Committee in support of the proposal which he described as a small part of a valuable contribution to the health and wellbeing offer in the area.

Written submissions in objection of the scheme had been received from from 3 members of the public which were read out at the meeting and are attached to these minutes

The Chairman confirmed that this proposal would provide a link from Station Road onto the area South West of the existing railway tracks, providing level access into the bay.

Proposed by Cllr Kelvin Clayton, seconded by Cllr Peter Barrow.

**Decision:**

That the application be approved subject to the conditions outlined in the appendix to these minutes.

**118. Urgent items**

There were no urgent items.

**119. Update Sheet**

<b>Application Ref.</b>	<b>Address</b>	<b>Agenda ref.</b>	<b>Page no.</b>
WP/19/00516/FUL	Roman Road/Spa Road, Weymouth	5a	15-44
<p>Update(s):Mrs Janet Dalton-Forster -objects – Please log my strong protest against the planning application as it is in Radipole conservation area. This area is home to multiple species of wildlife, insects and flora some of which could be rare or endangered therefore needing professional assessment before any building works can be approved. (Received 23/5)</p> <p>Dr Adam Foster- Objects- My objection is that the proposed development is situated in a conservation area and should not be developed. The documents in the proposal stating that the land is adjacent to a conservation area are incorrect. The only two exceptions to development in a conservation area are affordable housing or special architectural merit, and neither of these apply to this proposal. This land should be kept as much needed green space in Weymouth, which has a high population density. There are multiple other large housing developments in Weymouth and Portland which together more than meet the current housing shortage. If planning permission should be granted I am concerned that the developer will submit a further proposal for even more intensive housing on this site, which will be out of keeping with the local area and cause problems with parking and</p>			

access. (Rec'd 25/5)			
WD/D/19/002947	Land Adjacent to Railway Station, off Station Road, Maiden Newton, Dorchester		
Update(s): Madeleine Duke			
<p>Objects: (Summary)</p> <p>The suggested path is intended to give disabled access to the sustrans route/footpath from the station to Chilfrome Lane. This is totally unnecessary as there is a gate onto the station platform which gives paved access to this path with no steps or slopes to negotiate and which is available to the public. It would be a total waste of money and would destroy the habitat of the protected species as outlined in the ecological study.</p>			
<b>Application No.</b>	<b>Address</b>	<b>Agenda ref</b>	<b>Page No.</b>
WD/D/19/001056/FUL	Trafalgar Farm 34 Portesham	5c	
<p>Update(s):</p> <p>Please note that the Councillors listed at the top of the officer report are out of date. The current Councillor for the area is Cllr Mark Roberts.</p>			

**Duration of meeting:** 9.30 am - 3.35 pm

**Chairman**

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## **WP/19/00516/FUL - Land West of Roman Road and North of Spa Road, Weymouth**

### **1 David Harris**

Having represented SPA Road on DCC in recent years and living in the area I am very surprised that the Highways team deemed that it is safe for traffic to enter and leave properties onto Spa Road on the brow of a hill, especially where the speed bumps encourage traffic to swerve to the centre of the road and distract drivers on the road from anything happening in adjacent houses. I would like it clearly noted that I think that this is a bad decision and if accidents happen on the brow of the hill on this very busy road responsibility will lie with that department. Traffic travelling west through the **road calming** measure, which makes a statement in itself, have to give way to oncoming traffic. This means that traffic going east often accelerates through the chicane and this will take them past the entrances to the properties facing onto the road. Please think again about having access to Spa Road from this new development.

### **2 Sally Parkes**

I understand you have been recommended to pass this planning application by Bob Burden, the planning officer. I use his reasoning to again, object to this proposal.

He states the proposal is in a sustainable location outside but adjacent to the defined development boundary. The word OUTSIDE means it is not inside the boundary. His assertion, because it is on the edge it is permissible. This attitude could lead to urban sprawl which I'm sure your committee does not want to be accused of.

He considers the development is acceptable in terms of its design and general visual impact. I would prefer the beauty of the paddock we have now. The wild flowers and grasses that have come since it's abandonment during this planning application has added to the residents enjoyment. Please consider our mental health especially in these unprecedented times.

He considers there will be no significant adverse effect on neighbouring residential amenities. I would disagree as the narrow approach road to the development must surely cause a huge adverse effect on the community. Already cars are parked on the pavement of Roman Road. The cul-de-sac nature of the development will cause even more congestion in the immediate area than occurs already.

His next reason is there are no material considerations which would warrant refusal of this application. This statement makes no sense at all. My concern is if this planning application is refused the council will have to compensate the builders. That fact should not influence your decision, please refuse this development.

**3 Janet Dolton-Forster**

Please lodge my protest at the proposal to build west of Roman Road and north of Spa Road Weymouth.

The site is in Radipole conservation area, this is home to multiple species of wildlife, insects and flora that could be rare species and until the relevant professional bodies examine the site to confirm this please do give consent to this destruction.

**4 Charles Parkes**

My objections to the above application are when the Weymouth relief road was built residents in this area were compensated for the increase of traffic noise and foreseeable pollution. Building even closer to this road can only be detrimental to anyone living there.

Trees growing there form a buffer now but will inevitably be reduced when building takes place resulting in more noise and pollution.

Local residents appreciate this space with its abundance of wildlife and for the use of the field for local and national celebrations.

Access via Roman Rd is totally unsuitable for larger vehicles.

The houses in this road have minimal off-street parking causing parking on pavements. When non-residents visit and park on Roman Road and not on the pavement it becomes impossible for emergency vehicles to pass.

Please consider my objections to this totally unnecessary application.

**5 Sue and Paul Tindall**

We are writing to strongly oppose the planning to build housing on the field at the top of Roman Road Radipole. We have lived in our house since 1978 and enjoyed the lovely green open space for that time. It is the only green space in this area and used by many for recreation, dog walking etc. The residents living alongside the field in Mount Pleasant (South), Roman Road and Spa Road will be greatly affected by increased traffic noise, which is at the moment a quiet area with lots of birds and wildlife. We are asking you to stop this development going ahead, to preserve this special part of Radipole.

## 6 Jonathan Cartwright

There are a continuing number of concerns I have regarding the application as a whole and in particular the contents of the planning officer's report recommending the acceptance of the application. These are as follows:

1) The report is unclear on the fact the development is wholly within a designated conservation area. Whilst I am not a planning expert it appears unlikely to me that it is appropriate for a planning committee to approve such a clear contravention of the intent of the conservation area designation.

2) The development area is not included in the existing Local Plan. In fact it is specifically excluded from the existing local plan.

3) The report does not mention that the land is a designated green corridor. It provides a connection between 2 significant SSSI sites. Removal of such a significant amount of planting from this corridor will surely reduce its effectiveness.

4) Section 4 of the report, under ecology, states there is a certificate of approval from the natural environmental team. Whereas in section 9 it states that a revised plan is under review by the NET. Which is true?

5) In section 4 of the report under landscaping, states 'significant' planting is retained. In fact less than 10% of the trees on the site are retained.

6) The report makes reference to verbal discussions with the tree officer. Throughout the whole of the process of application, there are repeated references to unpublished correspondence from the tree officer. Once again in this report the tree officers opinions are not in writing.

In summary the planning officer's report seems to make a recommendation that is based on inconsistent presentation of the facts of the site, the application and the responses of statutory consultees. If approved there will be clear grounds of appeal to the local government ombudsman.

7 **Darius Rishehri**

My name is Darius Rishehri and I am a resident in Roman Road, Weymouth.

I wish to serve note of strong objection to the Planning Proposal WP/19/00516/FUL Land West of Roman Road, and North of Spa Road, Weymouth.

Firstly I must challenge the bold assertion by Planning Officer Bob Burden that there is not an adverse effect on a residential amenity.

My children play there, other residents children play there and it is used most days as a walk through to get to Radipole village and beyond.

Secondly and perhaps most STRONGLY. How on earth can this be considered to have no negative impact regarding vehicular access and highway safety ??

The junction between Roman Road and Mount Pleasant Ave South is ALREADY a potential accident area, with extra traffic from the recent Eden Park residential development contributing to near misses as cars tend to cut this corner. Having the proposed development will mean THREE directions for traffic all to meet at the same junction !!!!

It was recently reported in the local press that there was also a proposal to expand the Cherries Residential Home again on Mount Pleasant Ave!!!!

What I cant see is ANY "joined up thinking" in that its not just THIS SPECIFIC development on the land but the other developments in the vicinity who will use the same roads (at presumably the same main commute times !!) so increasing the traffic at this junction. This road is actually part of a well known and advertised cycle path to Dorchester - how can this not be considered extra hazard?

Vehicles have been known to park well within 10m of this junction (see Highway Code!) - sometimes ON THE JUNCTION, inhibiting visibility of oncoming traffic around this corner.

In addition the route from Spa Road to Icen Road and rejoining Dorchester Road is used as a "rat run" to avoid traffic on Dorchester Road. This extra traffic due to the proposed development will only add to traffic and hazard along these feeder roads !

Although there is a need for housing in Weymouth, there are also many dwellings and unfinished developments that remain unoccupied, which could make homes for local people without building on ancient and valued land.

The general dismissive tone of the planning officers recommendation to the committee regarding the development does seem to question logic and joined up thinking of the impact of other very close developments.

## 8 **Martin Davis**

I object to the application.

I trust you have all visited the site & must be wondering why we are proposing to build on a conservation area outside the DDB.

In 2017 Matt Prosser wrote to Richard Drax agreeing that the matter of the land sale and its influence over planning would be considered at the planning stage. I made this abundantly clear in my formal objection; it has been overlooked in the report.

The land will be sold to the developer only if planning application is successful. It has been alluded that DC may have to financially compensate the developer if permission is not granted; if this is true then I consider your free decision is compromised. However, if you elect to refuse permission the Council will be at liberty to withdraw the land from sale and remove the threat of a costly appeal. I strongly urge the committee to seek a legal brief over the status of the contract before any decision is made.

Confusion reigned when WPBC, spooked by unification, had a fire sale of pockets of land they considered, at the time, to be suitable for housing. The sole purpose to raise capital for the town ahead of unification. We see now that WTC unanimously objects, listing a host of reasons.

At para 16.35 the report overturns WTC objection on the flimsiest of evidence. Which is: the planning officer has made a unilateral decision, repeated often through the report, that, in his view, the land although outside the DB is adjacent to it and thus the conservation area links to the adjacent houses and not the Radipole conservation area. Consequently, building on a conservation area outside the DB enhances the conservation area. A gross mis-direction.

This proposal also sets a precedence, making any land adjacent to development fair play - where does this stop? I implore you to consider very carefully the long-term impact of your decision.

At para 16.3 through to 16.9 there is total capitulation to the national planning model. Because DC does not have a viable 5 year plan you are hostage to the appeals process, consequently removing freedom to make proper decisions to benefit the community you are elected to support. I conclude, that as a planning committee your role in shaping our community is in jeopardy and the odds are stacked in the favour of the developer.

However, with this application you do have a chance to save a valuable piece of community land and stop the cancer of development creep. In a non-existent 5-year plan adding 19 houses when so many are underway or planned in Weymouth is irrelevant, the sacrifice of a much-loved conservation area can never be recovered.

9 **Jill Davis**

I object to the application. I will offer counter proposals to the 4 main reasons for recommendation.

1. Sustainable & adjacent to the defined development boundary –  
Since when did 'adjacent to' become a primary reason to consume an open piece of land that defines the development boundary. This land is recognised in the local plan as not suitable for development principally because it is the boundary for development and has to be sustained as such.

2. Conservation-  
In the Conservation Officer's most recent comment to the application her closing paragraph reads, *"...as it currently stands, the development still cannot be said to either enhance nor preserve the setting, character and appearance of the Conservation Area. The minor improvements made to date do not fundamentally address the concerns raised. This site is an important green buffer to the conservation area..."*  
The planning officers report would have you believe the exact opposite.

3. No adverse effect on the local residential amenity –  
I disagree. Roman road traffic has increased significantly since the Eden Park development and at the time of that development we were promised by councillors that any future local development would take this into account; this has been totally overlooked by Dorset Highways who have made not a single comment about approaches to the site on either Spa or Roman road, this is a gross shortcoming. Moreover, I am directly overlooked by the grossly over-sized block of flats which has been positioned at the highest point in the field. This roofline stretches the entire width of three adjacent properties in Mount Pleasant and entirely interrupts the skyline.

4 There are no material considerations -  
This is a very broad category but I wish to comment on a couple of important matters. Firstly, the housing enabling team's report, duplicated in the planning office's report is convoluted. Stating, "Residential development outside defined development boundaries is not generally considered sustainable and would be considered as an 'Exception Site'. Hous 1 identifies exception sites as being available just for affordable housing and would not be granted planning consent for open market housing." He follows this up with a complex discussion concluding that the provision of 6 discount market houses overrides normal planning policy. Is this truly acceptable to the Committee?  
Secondly, can I remind you of the Climate Emergency signed up to by WTC and DC and while this was very low on the agenda in 2017 when the land was proposed for development, a lot has changed. Can we really sacrifice a much-loved green space that is outside the development boundary, especially when there are at least 11 major housing programmes in place or approved in the Weymouth area alone?

The addition of further homes within a very small distance from the recent Eden Park Development would subject Roman Road to yet another period of many months of works traffic, including HGVs, followed swiftly by permanent additional traffic from 19 new homes.

Living on the corner of Roman Road and Mount Pleasant Avenue South has given me visual evidence of HGVs struggling to manoeuvre our road as well as the lack of parking available, due to many existing houses not having driveways. Adding an estimated 30 additional vehicles travelling up and down Roman Road in excess of once a day, many of which will be joining either Icen Road, to access Dorchester Road, or Spa Road, to access Dorchester Road, can only ADD to congestion in all of these locations - all of which are already lined with parked vehicles on both sides of the road.

Being in the sought-after Radipole school catchment area, all the above-mentioned roads are largely populated by families with young children - the safety of these children does not appear to have been considered. Another favoured route from the area in question to out of town takes traffic along the road directly in front of Radipole school - a discussion with our local police force is all required to confirm the traffic congestion already in existence.

The land in question is used by children to access their friends and families houses, along with the Scout hut in Radipole village, thus removing the need to walk along busy roads for the entire route. Although access would be retained in the development plan, this would be among increased traffic vs the currently empty field.

In the current climate I feel it would be inappropriate not to mention lessons from the COVID-19 outbreak - let us value the natural spaces and the established wildlife and not further underestimate this value within our communities.

Although the Planning Application appears to acknowledge no concerns over traffic flow, I question the logic of not specifically addressing the reality, as above, and the selection of a development site with an over-used road system.

11 **Dr Jane Healy and Lee Cornell**

We live in the house directly to the east of the planned development on Spa Road.

A number of fellow residents that border the property have or will speak today about various issues relating to the development and why they object.

In our previous objections, we have noted a number of issues with building on this rather small amount of green space, such as the potential danger of building houses with access on to Spa Road in an area where traffic calming is already necessary, the loss of further green space and a habitat for wildlife, and concerns specific to our property in bordering the development.

The concerns we would reiterate are:

- 1) The development actually does not address the main need for accommodation in Weymouth. From a number of discussions, it is clear that Weymouth is most in need of 1 and 2 bedroom properties. As we face the prospect of another economic downturn as a result of the current Covid-19 situation, it seems rather obtuse to approve a plan that, whilst almost meeting the 35% figure for affordable housing (although requiring a financial charge to meet that condition), does not provide anything extra, instead producing more 3 and 4 bed accommodation, of which there is already existing housing stock available. It is probable that these new houses may be out of the financial range of a significant number of Weymouth residents.
- 2) Bearing in mind current building developments in and around Weymouth, that are more substantial, and the fact that a charge is being paid because the 35% threshold on affordable housing has not been met, it seems to move towards the conclusion that the main driver for the council is cash generation over and above the preservation of a relatively small piece of land for the good of the community.
- 3) It was never made clear to us, as home owners directly bordering this property, that it was to be used for anything other than animal grazing until it was clear the council were intending to put the land up for sale. The council did not offer residents a reasonable amount of time to convene any kind of alternative plan that would make good community use of the land or, even, that this was an option.
- 4) Lastly, it seems unusual that one department of the council is pressing for the sale and development of this land whilst another actively puts a protection order on a tree at the rear border of our property in order to prevent aggressive development plans.

We remain opposed to the development.

**12 Dr Alec Rishehri**

As a frequent visitor from Yorkshire, to visit my son living in Radipole, Weymouth, I was very saddened to hear of plans to develop the land at the top of Roman Road, according to WP/19/00516/FUL.

I have enjoyed walking my grandsons over this land for the past 8 years and the same activity through a housing estate would not be the same.

I understand many new housing developments have arisen around Weymouth and wonder whether this particular development is essential for the local needs. In addition, I do worry about the safety of my grandsons as they grow up on Roman Road, being exposed to an ever increasing level of traffic.

I had hoped to move to the area to spend more time with my grandsons but with my son now considering moving out of the area, due to the level of development on his doorstep, this option is no longer something I can act on at this time.

Please note this objection from someone living out of the area who is saddened at this move for the sake of the bottom line, along with the strong possibility of my son and his family moving out of the area permanently.

**13 Karen and Richard Edgeley**

We would like to make strong objections to the above planning proposal and we hope the Planning Committee will take note of all the strong local feeling and reject the building of any houses on the top field of Roman Road. We feel it has been rushed through without due process or consideration of the negative impact it will have on the area. It seems to us that it is just based on a strong desire to raise revenue. The whole process has not been investigated thoroughly or fairly. We are hoping that all the planning committee have at some point been on site to see the problems of building on this site and have taken time to make a reasoned view. I hope that there are individuals on the Committee who will argue our case and not just rubber stamp the proposals.

We fully support all the objections that have been highlighted to you in the past but we have two very important objections.

The first and most important would be the irretrievable loss of a conservation area and a green space along with the natural habitat. In this present climate we really should be protecting this space for future generations. Once lost it can never be retrieved.

Secondly, it was never designated as building land and the associated problems with traffic increase in Roman Road and Spa Road mean it would become highly congested and not safe.

Please stop this development and focus on better sites for building.

14 **Glenda Fraser**

Please do not grant permission to this application.

1 - Developing this site DOES NOT MAKE ECONOMIC SENSE, ONLY the developer will benefit financially.

Good local builders are booked more than a year ahead, so this development will raise the price of local labour, as good builders get harder to find - having a negative impact on local people.

The derisory sum of £29,810 in lieu of affordable housing would not cover the costs of a 12sqm kitchen extension.

2 - This development IS NOT IN THE CHARACTER OF THE AREA. Our area consists of SELF BUILD HOUSES which gives them their character, the character so missing from this application. In the 50's a caring Council drew up sustainable guidance for developing the single plots. I planned to show these fabulous deeds at the public hearing.

3 - Our Local Development Plan shows this site outside this boundary. This is a legal and adopted plan. It is flouting the law to claim that a site, adjacent a legal boundary has somehow now become part of the Development Boundary. It is not, this is unacceptable logic.

Would it be acceptable for me to build a house on my neighbours land because it is adjacent to my boundary, ....how is this situation, any different?

What kind of unworkable precedent would be set if this application was approved? It is giving people license to build adjacent to their properties - really!

4 - This development is NOT sustainable. Overdevelopment, greed and riding roughshod over nature has got us into this Covid 19 mess and we have to learn the lesson. Wildlife habitats, fields for grazing, for exercising, for sound barriers, for fresh air, for peace and inspiration must be protected and NOT be sold off to the highest bidder on a whim. Open spaces have been built into our Local Plans and we have strongly expressed our democratic right to protect them.

5 - This proposal DOES IMPACT NEGATIVELY on the neighbours, it is insulting to us ratepayers that comments from over 70 people are ignored by the planning officer, that there is, in his opinion, no negative impact created by this application. As our democratically elected leaders please uphold the democratic right of the Radipole and other Dorset residents to protect our field. The owls, deer, butterflies, foxes, rabbits, badger, or endangered dormice were not consulted on how it would impact them.

This field is a land bank for the Children of Weymouth who will have to pay for the massive debt their elders have inflicted on them, and they should decide in a next LOCAL DEVELOPMENT PLAN the future of our field

1. The land was gifted by local benefactors, the Cox family, to the Council and has remained a 'green lung' in an expanding urban environment ever since, enhancing the natural environment. Residents and wildlife alike benefit from this small area which lies within the Conservation Area and mirrors Radipole Wood on the opposite side of the Relief Road. Such green spaces reduce the Town's harmful carbon footprint and help mitigate effects of greenhouse gasses. In June 2019 DCC declared a climate emergency and adopted a policy plan in response. Developing this area from which there is no return would be in direct opposition to the Council's own policy and would fly in the face of local democracy.
2. Residents and other interested parties consider there would be significant adverse effect on neighbouring residential amenity. Already the Juno estate has realised the worst fears of residents with a doubling of traffic on this quiet residential road which includes Cycle Path No.1 and is a regular walk-way for children going to Radipole Primary School and The Wey Valley School, let alone those with disabilities at The Cherries who are regularly taken out for walks. Roman Road is a pinch-point and the prospect of even more traffic is terrible; there will be even more noise and disruption, risks for road safety and, contrary to national policy, it will increase on-pavement parking. How reckless!
3. The proposal is *not* acceptable in terms of its design and general visual impact and in no way preserves the character and appearance of the Conservation Area. The Council's Officer has presented the Committee with what appears to be a very personal, subjective view that again flies in the face of local democracy seeming to be motivated by a minimal short-term monetary benefit, denying the community's majority view that this development should not be allowed *in perpetuity*.
4. Due process would appear not to have been followed in several instances, including the Council's clear decision *not* to develop the area (letter from Jon Morgan 25<sup>th</sup> Feb 2016 to residents) and regarding the Residents' consortium to purchase the field.) There are worrying implications of a lack of impartiality.
5. Personally, I am dismayed that on land that was Green Belt when we purchased our property we are now going to be faced with a car park and over-looking block of flats: the visual pollution, damage to the environment and impact on quality of life for our Radipole community all add convincing argument that objections to this proposal should be upheld.

16 **Margaret Smith**

I am writing to say that this little field, at the end of a quiet, narrow cul de sac is a haven for wildlife and birds with beautiful trees, all needed in these days when so much countryside in this area is being ruined to build large estates. The field is completely unsuitable for housing and being built on would ruin the area with added noise and traffic, not to mention the lives of those who live in the immediate area. The copse at the Spa Road end is alive with birds and to build on this small green haven would be disastrous! We do not have many little green areas left around here where wildlife can live. Is it really necessary to ruin this little field just to build more very unnecessary houses!

17 **Stephen and Helen Rewse**

We would like to express our opposition to the proposed plan to erect houses and flats on the land off Spa Rd. We have set out our objections in more detail on the planning portal but in brief we object on the following grounds.

1) The site has never been included on any development plans and every time the plans were updated it was never considered for development. The only reason the land was put up for sale was that W&PBC had a fire sale of all their assets prior to the reorganisation of councils in the slight hope that the proceeds would be retained by the new town council.

2) The trees act as a natural buffer between the top of Spa Road and the relief road and are an important habitat and wild life corridor. With the spectre of climate change looming large we should be preserving trees not destroying them.

3) Road safety; we are not convinced by the Highway's Officer that having extra driveways accessing Spa Road near to a blind summit would not affect safety. Excess speed was noted as a factor on Spa Road several years ago, hence the traffic calming measures installed. These measures have proved to be ineffective as all that has happened is that it has traffic speeds have become more erratic with traffic accelerating between the bumps making it more difficult to predict whether the road clear.

Hopefully the planning committee will see sense and conserve this green space to continue benefiting the local community.

18 **Dr Adam Fraser**

I Object to the application.

My objection is that the proposed development is situated in a Conservation Area and is outside the Development Boundary and should not be developed.

The documents in the proposal stating development is possible because the land is adjacent to a Development Boundary are incorrect. The only two exceptions to development in such an area are affordable housing or special architectural merit, and neither of these apply to this proposal.

This land should be kept as much needed green space in Weymouth, which has a high population density.

There are multiple other large housing developments in Weymouth and Portland which together more than meet the current housing shortage.

If planning permission should be granted I am concerned that the developer will submit a further proposal for even more intensive housing on this site, which will be out of keeping with the local area and cause problems with parking and access. The precedent for development outside a Development Boundary, in a Conservation Area will be set.

19 **Gordon Cunningham**

Objection to Planned Development

1. Since 2014 under the auspices of local planning, this area has seen: the transformation of a family residence to initially a business site then more recently a Party Airbnb (Max 20 visitors); the demolition of a Retirement Home and the building of 18 houses. The subsequent population expansion has brought the urban fill-in right up to the edge of the designated conservation area. In 2016 I received a communication from The Weymouth & Portland property services regarding the field. This stated 'We are not seeking any other use ( Grazing Land) and the intention is to keep the land in public ownership'
2. In the period prior to the dissolution of Weymouth and Portland Borough Council, the Members decided to liquidate any spare parcels of land prior to unification. The Full Council met but failed to follow correct procedure and refused to call-in the error. They did concede their mistake and agreed not to do it again in future.
3. As a local group we had applied to purchase the field to retain its public access. We have received no formal correspondence as to why the bid was rejected, or the rationale for ignoring our ambitions for the area. I suggest profit over social need.
4. Since the return of the field to W&P Council management in 2014, a proposal to maintain the area has not been fulfilled. Only in 2018 when I approached The Dorset Council did the Graduate Estates Surveyor communicate with us. She kindly

arranged for a small area of the field to be cut for use for our royal wedding street party.

5. The Field has continued to be an accessible green space for local use especially during the recent crisis. There are even more children playing and dogs being walked in family groups with a sensible regard for social distancing. This had already seen an increase since the expansion of 18 properties adjacent to the Cherries Children's Home.
6. Since the W&P Council opened MPAS for housing development in 2016 the traffic flow has had an impact on the safety along both this road and Roman Road. Many Roman Road residents do not have off-road parking which has emergency access ramification. The Route 1 cycle path also shares MPAS and Roman Road. The new estate will inevitably create more car traffic.
7. Construction access to the proposed site will require heavy vehicles entering via this current bottleneck.
8. The plans show the view from the rear of MPAS will be dominated by a block of flats and a car park.

20     **Hannah Malleson**

I am writing to object to the planned development of the land mentioned in the subject of this email.

The current health crisis demonstrates the need for us to protect our green spaces, not only for the benefit of the environment, but also for the benefit of our mental health. I know that without that area close-by, and spaces just like it, I would have found the past weeks extremely difficult.

So, if this space, defined as a conservation area, can be built upon, what precedent does that set for the future?

21     **Gavin Roy**

We object to this development for the following reasons;

The site is within the conservation area, I note the comments in the committee report that it is adjacent to the development boundary. I am concerned that this sets a precedent and will surely lead to the erosion of our conservation areas as successive councils deem it suitable to develop within the conservation area but adjacent to the development area. Subsequent generations will not get the benefit of the conservation areas.

**Fencing** - Please don't surround the houses with 6ft feather edge fencing. The developer's site in Chalbury Corner has heavy use of this fencing and as a result looks like a stockade, it is harsh, unwelcoming and would be completely at odds with

the existing properties. I appreciate this may be the advice of the local police and is cheap and quick for the developer but please consider using natural hedges to soften the effect, this would also provide some much needed habitat.

**The Flats** -The proposed flats at the top of Roman Road will dominate the site, they are at the highest point of the hill and are not in any way in keeping with the characterful existing houses. They will be visible from miles around. I would draw your attention to the new flats at the junction of Roman Road and Icen Road which have maintained the existing roofline, and have low walls in the same material as the elevations, a feature of the existing housing in the area. The proposed block of flats is ugly and generic with a very high roofline.

I am concerned at the impact of privacy on people using their gardens in Mount Pleasant Avenue, please ensure that if permission is granted, no further development is allowed into the roof spaces of these flats.

**Ecological impact** – I cited the council’s commitment to delivering a healthy environment and to protect green assets, in my initial objections. I note the off-site contribution of £10673 from the developer that was required to overcome this commitment. Could you please be transparent about where that contribution is spent and what on? Will it be used in the local area to offset the ecological damage of this development?

## 22 Claudia Cunningham

*Please note that the statement below was submitted in respect of this application but was not read out at the meeting due to an administrative error.*

1. My main concern is that of increased traffic flow which both on the Roman and Spa road entrances will be hazardous. Spa Road is a busy road and the introduction of front facing driveways will have dangerous consequences. The Roman Road entrance to the site is not capable of the proposed increase in traffic.

Roman Road is a cul-de-sac and narrow and already commonly has cars parked on both sides of the road which restrict traffic flow. Altering the traffic flow to a two way system into the development will be hazardous for everyone including the emergency services. Cars also – albeit dangerously - use the entrance of MPAS as a turning circle because they cannot change direction in Roman Road – (this junction is mere yards from the proposed Roman Road entrance to the site). This includes large delivery trucks who, because they cannot turn at the end of MPAS (which is also a cul-de-sac) dangerously reverse all the way down the street.

Therefore for cars not entering the site, turning will be hazardous and dangerous to both pedestrians, including children on their way to and from school, and cyclists alike.

The area adjacent to the proposed new development is still experiencing the effects of the recent completion of Eden Park with an already significant increase in traffic. I also contest that there are insufficient car parking spaces planned, leading to further problems with parking in Roman Road.

2.The site of the development is outside the development boundary and should be left as green space. It is used by many local residents.

The plot of land which, had it been maintained as promised by the local council would be used even more by the local population but sadly it is now largely overgrown.

The area is also a natural habitat for a variety of wildlife and birds and the destruction of the site will have a huge detrimental impact on the environment.

3.The external design is not in keeping with the local area where properties are individual in appearance. Both the density and appearance of the new houses and flats will be very detrimental to the area.

For these reasons I must object to the current plan.

## Richard Burgess - Agent

Our key points are

1. The release of this site was decided by the former Weymouth & Portland Borough Council. You know you must treat applications involving council land in the same way as all others. However the National Planning Policy Framework **instructs Councils ..... to bring forward land in public ownership (NPPF 118).**

2. My clients are a highly **reputable developer**. High quality developments are their trademark. They were selected to bring these proposals forward. They have a development option which will be pursued to its conclusion.

3. We have had regard to the views of residents. We conducted a **public information exercise** including delivering leaflets to every household and holding a public exhibition so that all could have input. We have revised the plans, reduced the number of dwellings and accommodated residents' wishes re the provision of a public footpath and accesses to their gardens.

4. We have worked to satisfy your planning officers for more than 12 months. We have submitted **16 revisions** to the Masterplan; also employed consultants in ecology, archaeology and arboriculture to satisfy your requirements. Also Conservation Appraisals, Green Construction plans, Drainage Studies and an **Approved Biodiversity Mitigation and Enhancement Plan**.

We note your officers have made a positive recommendation which we hope you will accept.

Other points

1. This land has **never been public open space**. It was let under licence for many years as a pony paddock.

2. Some have asked why there isn't **Affordable housing for rental** as part of the development? It isn't very practical to provide 6 or so units for rent. Housing Associations tend to want larger numbers of dwellings; but my clients are passionate about providing a 'first step' on the purchase ladder for the young. They were building such units locally e.g. in Broadmayne, Puddletown & Piddlehinton before they became fashionable in government. The units will be provided at 70% of market value. This will be passed to subsequent purchasers. We approached your Affordable Housing Officer and he was enthusiastic about this idea since this isn't currently provided in Weymouth. We have also agreed to make a s106 payment of £27,000 which will go towards off site affordable rental housing.

3. In response to objections by **Weymouth Town Council**

(a) You will know that being just outside the Development Boundary is not of great relevance given your lack of 5 year land supply since it is in a sustainable location.

(b) While the site is in Radipole Conservation Area (but the Spa area isn't) is not fatal especially since substantial belts of trees on either side of Weymouth Way screen the site from Radipole Village.

(c) Your Conservation Officer is satisfied with the design.

## **WD/D/19/002865 - Land Adjacent, Putton Lane, Chickerell**

### **David Lohfink, Land & Planning Director, C G Fry and Son Ltd**

In the interests of clarity, the original permission for the Putton Lane development nearly 10 years ago included a surgery site as a result of the applicants hearing local concerns through the consultation process. There was no policy requirement for a surgery at the time (Policy EA6 of the previous Local Plan) and no evidential requirement. The applicants however included a surgery and worked for 8 years with a local practice to deliver it. Unfortunately, the practice's Business Plan was not accepted by the then Primary Care Trust.

Meanwhile, time moved on and the current Local Plan allocated substantial new development to Chickerell. Others deemed the reserved Putton Lane site to no longer be adequate being too small and poorly related to the new allocations. It is understood that another site is now under consideration for a significant medical hub building. The reserved site is therefore no longer required or appropriate.

Given that it is completely surrounded by Browns Crescent to the south and the new Putton Lane/Greys Field development on the other sides, it seems completely logical to permit residential development on it. The site is not allocated for any other use and is in the Chickerell DDB. The scheme will pay its fair share of CIL and a financial contribution can be made towards the delivery of the medical hub on another site.

Thank you for listening to this statement.

## **WD/D/19/001056 - Trafalgar Farm, 34 Portesham, Weymouth, DT3 4ET**

**Paul Dunlop, Blanchards Bailey LLP**

We have been instructed by Mrs Ruth Chipp-Marshall, Mrs Susan White and Ms Susan Chipp, joint beneficial owners of the land in question under Land Registry title number DT433384 (the "Land") to file an objection to the Applicant's proposed erection of a single-story dwelling at Trafalgar Farm, because the Applicant does not own the land in his sole name and because the building is within the curtilage of Trafalgar House which is a notable Grade II listed Georgian building.

Our clients only received notice of the planning committee meeting on Friday 22nd May and we are only instructed on 26th May, due to the bank holiday. Our clients have not been given sufficient time to fully particularise their objections. If the Committee require further documentation to support what is stated, then the meeting should be adjourned and our clients provided with a reasonable period to provide this.

### **Cllr Ray Doggett - Chesil Bank Parish Councillor and Chair of the Planning & Development Working Group**

Ladies/Gentlemen - I chair the Working Group which reviews difficult or contentious planning applications on behalf of the CBPC, for their subsequent agreement and submission to the Planning Authority. CBPC **objects** to this application but offers an alternative solution.

Trafalgar Farm is a very large site but the Grade II Listed building and its associated walled garden and the area of land depicted in red in the planning application – the proposed site of the future dwelling - form part of the original overall curtilage of Trafalgar House. The integrity of that curtilage should be preserved and not impacted by the proposed new dwelling. Although the ownership and future inheritance of the site is contested and causes considerable difficulties for various factions of the family – and technically this is not a planning consideration – resolution of their problems will be made easier in due course by not placing the new dwelling within the curtilage area. There is plenty of space outside the curtilage area in which the new dwelling could be sited, described as follows in the CBPC submission:

- Build the new dwelling within the existing area for which the Certificate of Lawful Use allows for the caravan, as depicted in black in the application. There is sufficient space, particularly if the rough track was moved to one side.
- Build the new dwelling just to the north east of the Lawful Use area, and to the north of the track.

Planning Committee members, if they are minded to approve the application, are respectfully requested to ensure the dwelling is placed outside the curtilage area; or refuse the application and advise the applicant to resubmit accordingly.

## **Richard Burgess - Agent**

Mr Chairman, councillors

I make these points on behalf of the applicant Mr Dave Coombes who wishes to provide a replacement dwelling for himself and for his elderly mother.

Mr Coombes styles himself as Porteshams last 'yeoman farmer' in that he works single handedly his farm extending from Front St right up to Hardys Monument. He currently lives in a rather dilapidated mobile home near the front of the site which urgently requires replacement.

Mr Coombes has lived and worked in the village nearly all his life (although he did live 'abroad' –in Weymouth!- for a couple of years). His mother who currently lives in, but does not own, Trafalgar House, a Grade II Listed Building in dilapidated condition which is adjacent the site, has even better qualifications for accommodation in the village. I understand she has only left the village 3 times in her life –to go to Dorchester Hospital.

The site as you have heard is just outside the Development Boundary but will not be seen from the road since it is screened by a high wall.

Hopefully the construction of this house as well as providing much needed accommodation for two local residents will enable Trafalgar House to be sold for restoration.

With regard to the Conservation Officers comments I would suggest that the greater good in both conservation and housing terms will be served by rehousing both the applicant and his mother and getting the situation with Trafalgar House resolved so that it can be sold and restored.

Let me just say a little about the comments of the Parish Council that no doubt led to this application being referred to this committee. With respect to them they did seem to get confused by considerations of land ownership even though as you will have seen they were not entirely opposed to the proposal.

In fact I can tell you that all the land within the red line set out in the application falls within the applicants registered title –as can be confirmed by the examination of Land Registry documentation. No other person has any registered interest in the site.

As far as the matter of being within or just outside the villages Development Boundary is concerned recent permissions just outside the Development Boundary have included the extension to the Frys development on the west side of the village as well as a new dwelling again for a local residents somewhat further away from the village centre on Winters Lane.

I would therefore ask you to support the officers recommendation and approve this urgently needed accommodation for two local folk.

## **WD/D/19/002093 - Old School House, Looke Lane, Puncknowle**

### **Cllr Philip Fry - Chairman of Puncknowle and Swyre Parish Council**

The Old School House was built later than the School as shown by the blocked up doorway in the main hall. The School was built with two play yards but lost one when the School House was built. This is also shown by the different quality of build with the stone mullion

windows and conspicuous stone coped gables of the School, but the Old School House is very plain.

When my family moved to Puncknowle in early 1959 a lot of the cottages were condemned, some were pulled down, others two made into one and some had two storey extensions like this application. This house is just as it was built in late 1800's with a very small galley kitchen and low lean to bathroom added.

Little weight should be applied to the Conservation Area Appraisal as it is so inaccurate

it's not true, the village is trying to put this right.

In conclusion the case officer and conservation officer's view is what they would like the village of Puncknowle to look not what it is and I hope you will look favourable on this application.

### **Simon Ludgate - Agent**

My name is Simon Ludgate and I am acting as a planning advisor to the applicants in relation to their aim of gaining planning permission to extend The Old School House in Puncknowle.

The application seeks permission to construct a two-storey extension to the existing building. This will provide a further bedroom and an upstairs bathroom with a new kitchen on the ground floor.

The extension, which replaces an existing extension, will be constructed with natural stone with natural slate for the pitched roof.

The applicants are a young local family who have managed to purchase their first home in the area they grew up in and require extra space to create a family home.

The existing house is very small and is attached to the Old School Room, which is now used for community uses. It was previously the school masters house.

The application has been well received in the village with the Parish Council strongly supporting the application and a number of supporting letters from nearby residents who would be most affected by these proposals. The local Dorset Councillor is also supportive of the scheme.

The recommendation for refusal is based on a perception that the extension will dominate the street view and cause detriment to the setting of the Conservation Area

and Heritage assets in the vicinity. The report quotes the Conservation Area Appraisal which mentions views of the Village Church from The School House and it is this vista which will be impacted upon. Unfortunately, the appraisal's reference to The School House is wrong and should have referred to the Old School Room which fronts onto the main street and from which it is just about possible to reference the Church. The Old School House is located behind the School Room and the extension would have no visual impact upon the visual character of the main street.

The extension will be viewed from Looke Lane onto which it fronts. The report accepts that the scale of the extension is acceptable, in its context as an addition to an existing building, but considers the scale of the extension too great in relation to the attached School Room. This is a subjective judgement which fails to consider the relationship between the School Room and the house. The house appears diminutive in relation to the school and the limited addition of the extension is smaller in proportion to the existing house. The extension will not visually impact upon the relationship with the school building which will maintain its dominance in the street scene.

I hope the Committee will consider that this modest proposal is acceptable and that there is no demonstrable detriment to the visual character of the village.

## **WD/D/19/001397 - Sunnyside Cottage, West Knighton**

### **Nicky Busst, Planning Officer - Knightsford Parish Council**

On behalf of the Parish Council, I confirm that we still have objections to the development.

The council rejected the plan for a single storey double garage a few years ago and therefore the PC is struggling to understand how a larger two storey building now appears to be considered to be a suitable development.

The plot is small and Sunnyside Cottage is currently let to three separate people, each of whom has a car. If a further room is constructed above the garage that will entail at least one further vehicle on site.

The Parish Council considers that the footprint of the proposed new build together with the parking and turning required on site will be excessive in relation to the size of the plot as a whole.

The Parish Council considers the proposal will be an overdevelopment in what is a very small space.

### **Cllr Martin Mitchard - Knightsford Parish Council**

I would like to make it clear that although I am a councillor for West Knighton which is part of the grouped parish council Knightsford Parish Council, my objection to Application no WD/D/19/001397 is my own and in support of Mrs Jacqui Thacker, widow of Councillor Mr Alan Thacker of Tytam, the house immediately to the south of the proposed development

The Description of the proposed development, double garage with annex accommodation is misleading, as it suggests a single storey, and I took it to be such until I looked at the plan and saw that in fact it was a two storey flat over garage.

The plans for a double garage were rejected some years ago, so I cannot see how a two storey building of larger footprint to the original plan, which will overlook houses to the left and to the rear and will be directly opposite my lounge window can be approved. All the garages in the immediate area are single story

Sunny Side Cottage is let at the moment on a room by room basis with three occupants each having a car, the house owner does not live in the property at present. When the annex is occupied there will be at least one more car with possibly two more stored in the garage.

Access to and from Highgate lane could prove difficult If not dangerous.

The footprint of the building along with the required parking and turning space will dominate what is a small garden of a grade two listed cottage.

If the building were to have its own electric and water supply rather than be supplied from Sunnyside Cottage it could quite easily in the future be converted into a small house.

I think the proposal is an overdevelopment of a small garden.

### **Duncan McKenzie - Applicant**

I am the Applicant and owner of Sunnyside Cottage. I would ask you to support your Officer's recommendation to approve. I also wish to clarify some issues, particularly those raised by Mrs Busst from the Parish Council and correct some factual inaccuracies raised by her:

- I purchased Sunnyside 2 years ago. The property was in extremely poor condition, I spent 18 months restoring the interior whilst residing at the property with my partner Phoebe, prior to taking a work contract away from home last year, since when the property has temporarily been let to a very quiet young couple. Whilst obviously not a planning issue, I am not aware of any noise issues from my Tenants referenced by Mrs Busst. We enjoyed very good relations with our neighbours while living in the property and we shall be moving back into the cottage shortly.
- This is our main and only residence. We hope to start a family soon and the annexe is principally to be used as a guest bedroom for both my mother and Phoebe's to stay when they visit. Phoebe would also use this extra room created in the roof space of the Garage as her home office. Despite the comments of Mrs Busst, the application is not intended as a separate dwelling, leaving aside that the building proposed is quite incapable of such use due to its size, such a use would in any event require a quite different permission
- The construction of this Garage Annexe with Store at the rear will also remove the need for the current unsightly open on-site parking, and also allows the removal of 2 dilapidated timber sheds. Once completed the remainder of the site will then be landscaped
- No objections have been received from my immediate neighbours in Rose Cottage, Wayside Cottage and Wayside Barn. It should perhaps be noted that along with Sunnyside, these three properties are also Listed Buildings. My neighbours in Wayside Barn, which is the property most directly overlooking my garden, did initially express some reservations, however once we reduced the overall size of the new building they wrote to you to express their support for the revised scheme, for which I thank them.
- In summary, I would ask that the Committee decide this application on Planning merits, and not NIMBY objections unrelated to planning matters. What is proposed here is essentially just a double garage and store with a room in the roofspace above with skylights, there is no overlooking of any neighbouring property and in my opinion the building as proposed will both enhance and sit well within the Conservation Area.

## **Nicholas Brown - Agent**

Members of the Planning Committee, thank you for letting me submit this brief statement.

I would like to emphasise how carefully this application has been considered. The applicant submitted a detailed pre-application consultation, setting out options for the works he was proposing with a full written explanation. The eventual application scheme followed the advice of your Conservation officer who considered the pre-application submission, and who now supports the full application before you today.

A thoughtfully designed Coach House as we propose will enhance both the host dwelling and the Conservation Area itself, the principal features of which are the cluster of Listed thatched dwellings adjacent to Sunnyside, together with a further group of Listed Buildings adjacent to the Old School further to the south. These two distinct and attractive groups of Listed Buildings groups are separated by somewhat less attractive oversized 1960's chalets to the south (Tytam) and opposite (Shalom), the siting and design of the proposed Coach House will in a small way help bridge the gap between the 2 groups of Listed Buildings. None of the owners of the other adjacent Listed Buildings has objected to the proposal, in fact the owner of the building most directly affected (Wayside Barn), has offered support to the application.

A most detailed application has been presented, with a full consideration of your Officers views, and you will see that it is recommended to you to grant. The Conditions proposed by your Officers are acceptable to the applicant.

I can do no better than to quote from your Officers report conclusion that "Having assessed the proposal against all of the material planning considerations which are relevant to the proposed development it is recommended that the application should be approved".

I would urge you to grant permission in line with the recommendation.

## **WD/D/19/002947 - Land Adjacent to Railway Station, Off Station Road, Maiden Newton, Dorchester**

### **Madeleine Duke**

This application flies in the face of common sense in a time of financial crisis. It is totally unnecessary as there is perfectly good disabled and cycle access to the cycle path/footpath via a gate to the right of the station building. This leads onto the platform and thence onto the path without any steps or other obstacles. Indeed this access would be easier than via a path across the scrubland as it is level and the new path must, by necessity, have a slope.

Last year a considerable amount of work was done to put a cycle ramp up the steps to the left of the station as well.

The 'scrubland' mentioned may not look wonderful to humans but it is the habitat to various reptiles and to destroy it for no purpose would be nonsensical and unkind.

### **Deborah Batten**

This is an unnecessary piece of work and a misuse of money. The land concerned although small in area is very important for endangered wild-life some peculiar to Dorset. The disabled access in the station yard is adequate as wheelchair users still have to use the crossing over the track over the lines to reach the other platform. Far better use of money is to ensure the gates are always accessible, perhaps using bollards, and painting parking spaces in the car park so thoughtless people don't park across the gates. an added bonus would be that the area would more reflect Brunel's legacy.

### **Jacqui Williams**

I was surprised that an application for new disabled access to the cycle path in Maiden Newton is now at a stage where permission appears to be at final stages. Until a villager informed me of the event I had not seen any notice of this path being developed, and as a dog walker am usually observant of such notices.

I would argue that instead of intruding on the small wild space which provides an important habitat for our wildlife, that use of the existing access be utilised. The use of the station platform through existing gates and on which there is level access would surely make more sense?

At the present time surely we should be looking to spend on essential needs rather than projects which could have alternative and economical means of achieving the same ends?

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# Appendix

**APPLICATION NUMBER:** WP/19/00516/FUL

**APPLICATION SITE:** Land West of Roman Road and North of Spa Road, Weymouth

**PROPOSAL:** Erection of 13 no. houses and 6 no. flats with associated access and parking

**DECISION:**

Refuse permission for the following reasons:

The site is outside of the defined development boundary and the Council has declared a climate emergency, as such the development is therefore contrary to Policy SUS2 of the West Dorset, Weymouth and Portland Local Plan (2015). The site is a currently undeveloped green space with a copse and is within the Conservation Area. The site is considered to make a positive contribution to the character of the Conservation Area by virtue of its openness, trees and copse and the development would neither preserve or enhance the character of the Conservation Area contrary to Policies ENV2 and ENV4 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019).

In the absence of a completed planning obligation the scheme would not ensure the affordable housing and affordable housing financial contribution are provided, nor the ecological financial contribution and nor would the replacement public footpath be provided and maintained. As such the development is contrary to Policies HOUS1, ENV2 and ENV11 of the West Dorset, Weymouth and Portland Local Plan (2015) and the National Planning Policy Framework (2019).

**APPLICATION NUMBER:** WD/D/19/002865

**APPLICATION SITE:** Land adjacent, Putton Lane, Chickerell

**PROPOSAL:** Erection of no.7 dwellings

**DECISION:** Grant permission, subject to the conditions below

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan - Drawing Number PP-01 received on 18/11/2019

Plots 6 & 7 Floor Plans - Drawing Number 6-7-P-001 received on 18/11/2019

Plots 6 & 7 Front & Side Elevations - Drawing Number 6-7-P-002 received on 18/11/2019

Plots 6 & 7 Rear Elevations & Section - Drawing Number 6-7-P-003 received on 18/11/2019

Plot 1-3 Ground Floor Plans - Drawing Number 1-3-P-001 received on 18/11/2019

Plot 1-3 First Floor Plans - Drawing Number 1-3-P-002 received on 18/11/2019

Plots 1 - 3 Front Elevations - Drawing Number 1-3-P-003 received on 18/11/2019

Plots 1-3 Rear Elevations - Drawing Number 1-3-P-004 received on 18/11/2019

Plots 1 & 3 Side Elevations & sections - Drawing Number 1-3-P-005 received on 18/11/2019

Plots 4 & 5 Floor Plans - Drawing Number 4-5-P-001 received on 18/11/2019

Plots 4 & 5 Front & Side Elevations - Drawing Number 4-5-P-002 received on 18/11/2019

Plot 4 & 5 Rear Elevations & Sections - Drawing Number 4-5-P-003 received on 18/11/2019

Plots 1 & 2 Garage Floor plans and Elevations - Drawing Number DG5-SD received on 18/11/2019

Site Plan - Drawing Number SP-001 A received on 17/01/2020

Street Elevations - Drawing Number SE-001 Revision 1 received on 17/01/2020

REASON: For the avoidance of doubt and in the interests of proper planning.

3) No development above Damp Proof Course (DPC) level shall be commenced until details and samples of all external facing materials for the walls and roofs shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the development shall proceed in strict accordance with such materials as have been agreed.

REASON: To ensure a satisfactory visual appearance of the development.

4) Prior to the installation of the hard landscaping hereby approved details of the hard landscaping including the driveway, boundary treatments, pathways and patios shall have been submitted to, and approved in writing, by the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such materials as have been agreed.

REASON: To ensure a satisfactory visual appearance of the development.

5) In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

REASON: To ensure risks from contamination are minimised.

6) No development above Damp Proof Course (DPC) level shall be commenced until a timetable for the implementation of the measures of the Biodiversity Mitigation & Enhancement Plan has been submitted and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the agreed timetable and the approved Biodiversity Mitigation & Enhancement Plan, signed by Andrew McCarthy and dated 10/12/2019, and agreed by the Natural Environment Team on 17/01/2020, unless a subsequent variation is agreed in writing with the Council.

REASON: In the interests of biodiversity mitigation and enhancement.

7) Before the development hereby approved is occupied or utilised the turning and parking shown on Drawing Number SP-001 A must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

REASON: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

8) Before the development is occupied or utilised the first 5.0 metres of each vehicular access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note), must be laid out and constructed to a specification submitted to and approved in writing by the Planning Authority.

REASON: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

9) No development above damp proof course level shall take place until a detailed scheme to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations within the development has been submitted and approved in writing with the local planning authority. The scheme shall include a

timetable for implementation. Thereafter the development shall be carried out in accordance with such details as have been approved by the Local Planning Authority including the timetable for implementation.

REASON: To ensure that adequate provision is made to enable occupiers of and visitors to the development to be able to charge their plug-in and ultra-low emission vehicles.

10) No development shall take place until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to throughout the construction period. The management plan shall provide for:

- Location for loading/uploading and storage of plant, waste or construction materials;
- Hours of operation
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement of existing occupiers of neighbouring properties during construction)
- Routes of construction traffic
- Arrangements for turning vehicles
- Arrangement to receive abnormal loads of unusually large vehicles.

REASON: In the interests of road safety and neighbouring amenity.

Informatives:

1) NPPF Statement

2) INFORMATIVE NOTE: Dorset Highways

The vehicle crossing serving this proposal (that is, the area of highway land between the nearside carriageway edge and the site's road boundary) must be constructed to the specification of the Highway Authority in order to comply with Section 184 of the Highways Act 1980. The applicant should contact Dorset Highways by telephone at Dorset Direct (01305 221000), by email at [dorsetdirect@dorsetcc.gov.uk](mailto:dorsetdirect@dorsetcc.gov.uk), or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway.

3) CIL

4) Terms of the S106 dated, 18 August 2011 that are of potential relevance to the permission and which may impact upon it.

**Reasons for the Decision:**

- Site is not considered suitable for a doctor's surgery
- Absence of 5 year land supply
- The location is considered to be sustainable and the proposal is acceptable in its design and general visual impact.
- It is not considered to result in any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

**APPLICATION NUMBER:** WD/D/19/001056

**APPLICATION SITE:** Trafalgar Farm, 34 Portesham, Weymouth DT3 4ET

**PROPOSAL:** Erect single storey dwelling

**DECISION:** Grant Permission, subject to the conditions below

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans and elevations 16/004/002 REV C

**REASON:** For the avoidance of doubt and in the interests of proper planning.

2. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

**REASON:** This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

3. The development hereby approved shall be constructed of natural timber and natural slate roof. No development shall be commenced until details and samples and details of colour of stain or finish of the timber shall have been submitted to, and approved in writing by the Local Planning Authority and shall be constructed and retained as agreed.

**REASON:** In the interest of visual amenity.

4. No development shall take place until full details of hard and soft landscape proposals including boundary treatments have been submitted to and approved in writing by the Local Planning Authority (L.P.A). These details shall include planting plans, written specifications and schedules of plants, noting species, planting sizes, proposed numbers/densities where appropriate and implementation timetables. A schedule of landscape maintenance proposals shall also be submitted to and approved in writing by the L.P.A prior to commencement of the development and the said maintenance shall be carried out in accordance with the approved schedule for a minimum period of 5 years following completion of the dwelling hereby approved.

**REASON:** To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

5. Notwithstanding the provisions of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other Order revoking or re-enacting that Order with or without modification) no roof enlargement or alteration shall be carried out to the dwelling without a further application for planning permission being approved by the Local Planning Authority.

**Reason:** In order to protect neighbouring residential properties from the possible impact of such enlargements or alterations in terms of possible overlooking.

## **Informative Notes**

### **National Planning Policy Framework Statement**

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

### **Community Infrastructure Levy**

This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.

### **Reasons for the Decision:**

- Absence of 5 year land supply and the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The location is considered to be sustainable despite the sites location outside of but adjoining the defined development boundary of Portesham
- The design, layout, scale, mass, appearance access and materials are acceptable and would not have a negative impact on the setting of the street scene or nearby listed building.
- There is no significant harm to neighbouring residential amenity, nor to the character and appearance of the surroundings and AONB.
- There are no material considerations which would warrant refusal of this application

**APPLICATION NUMBER:** WD/D/19/002093

**APPLICATION SITE:** OLD SCHOOL HOUSE, LOOKE LANE, PUNCKNOWLE,  
DORCHESTER, DT2 9BD

**PROPOSAL:** Erect a double storey extension and alterations

**DECISION:**

Grant permission subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Elevations - Drawing Number 19/106/04 Rev A received on 16/08/2019

Proposed Floor Plan - Drawing Number 19/106/03 Rev A received on 16/08/2019

Block/Roof, Site & Location Plan - Drawing Number 19/106/01 Rev A received on 16/08/2019

REASON: For the avoidance of doubt and in the interests of proper planning.

3. External materials shall comprise of natural stone and rendered walls with a natural slate roof and uPVC fenestration as specified on the application form

REASON: To ensure the satisfactory appearance of the development

**APPLICATION NUMBER:** WD/D/19/001397

**APPLICATION SITE:** SUNNYSIDE COTTAGE, HIGHGATE LANE, WEST KNIGHTON, DORCHESTER, DT2 8PE

**PROPOSAL:** Erection of double garage with annexe accommodation

**DECISION:** Grant permission, subject to the conditions below

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan received on 28/05/2019

558.04A received on 13/08/2019

558/03A received on 13/08/2019

**REASON:** For the avoidance of doubt and in the interests of proper planning.

2. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

**REASON:** This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

3. Prior to development above damp proof course level details and samples of all external facing materials for the walls and roofs shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such materials as have been agreed.

**REASON:** In the interests of the character of the Conservation Area and the special architectural and historic interest of the listed building.

4. Prior to development above damp proof course level detailed sections (scale 1:5) and elevations (scale 1:10) of all windows and doors, in the development shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in strict accordance with such details as have been agreed.

**REASON:** To ensure a satisfactory visual appearance of the development.

5. Prior to the occupation of the development hereby approved the proposed highway access, parking and turning areas must have been completed in accordance with the details shown on plan 558/03A received 13/08/2019. Thereafter, these areas must be maintained, kept free from obstruction and made available for the access, egress, turning and parking of vehicles in perpetuity.

**REASON:** To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

6. The development hereby permitted shall not be used as a sole or main place of residence and shall only be occupied for purposes as a garage/residential annexe

incidental to the enjoyment of the main residence known as Sunnyside Cottage and indicated as being within the red line on the approved plan as a single residential unit.

REASON: The accommodation is not considered suitable for separate use, because of the relationship between it and adjacent dwelling

**Reasons for the Decision:**

- The principle of the proposed development in the proposed location is acceptable.
- The siting, scale and form of the proposed building would maintain a strong sense of place by reflecting and respecting the areas defining characteristics and would also conserve the setting of the listed building and the character of the conservation area.
- The proposal would create and protect a good standard of amenity for the occupants of the existing and proposed buildings and their surrounding areas.
- The parking and movement of associated vehicles would not harm highway safety.
- The proposal would not have an adverse effect on the integrity of the Dorset Heaths International Designation due to its location within an existing residential curtilage.
- The proposal would not result in an unacceptable risk to ground water due to its residential nature which is unlikely to produce pollutants.
- The proposal, because of its residential nature, would not have an adverse impact on the integrity of the Poole Harbour wildlife site.

**APPLICATION NUMBER:** WD/D/19/002027

**APPLICATION SITE:** THE MOUND, QUAYSIDE, WEST BAY

**PROPOSAL:** Removal of shipping container and erection of a building used to house and refill diving tanks.

**DECISION:** Grant permission, subject to the conditions below:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan, Drawing No. 10717/02 received 8th August 2019  
Existing and Proposed floor plans and elevations, Drawing No. 10560/01A received 3rd February 2020

**REASON:** For the avoidance of doubt and in the interests of proper planning.

2. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

**REASON:** This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

3. Prior to the commencement of building works, excluding demolition of the fence and removal of the shipping container, a sample of the proposed external facing material(s) shall have been erected on site, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in strict accordance with such materials as have been agreed.

**REASON:** To ensure a satisfactory visual appearance of the development

**Reason for the Decision:**

It is considered that with the proposed conditions the proposal would be acceptable in relation to design, heritage, amenity, highway and flood risk.

**APPLICATION NUMBER:** WD/D/19/002947

**APPLICATION SITE:** LAND ADJACENT TO RAILWAY STATION, OFF STATION ROAD, MAIDEN NEWTON, DORCHESTER

**PROPOSAL:** Construction of three metre wide multi-use path between Station Road and the former Branch Line to Bridport

**DECISION:** Approve subject to the conditions below:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan - Drawing Number HI1122-500-01G  
Section - Drawing Number HI1122-503-01

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby approved shall not be first brought into use without complying with the provisions of the submitted Biodiversity Mitigation and Enhancement Plan (BMEP) produced by Danny Alder Ecology and Conservation, and, certified approved on 18 November, 2019, by Dorset Council – Natural Environment Team. The works and specifications outlined in this approved plan must be completed in full, unless any modifications to the agreed mitigation as a result of the requirements of a European Protected Species Licence have first been agreed in writing by the local planning authority. Thereafter, the approved mitigation measures shall be permanently maintained and retained in accordance with these approved details, unless otherwise first agreed in writing by the local planning authority.

REASON: To ensure the protection and enhancement of natural habitat and any European Protected Species (EPS) on the application site, in the interests of nature conservation and in accordance with the provisions of Regulation 9(1) of the Amended Conservation Regulations 2012; and, to make provision for protected species in accordance with the National Planning Policy Framework.

4. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175.

Should any contamination be found requiring remediation, a remediation scheme shall be submitted to and approved by the Local Planning Authority. The approved remediation scheme shall be carried out to a timescale to be first agreed with the Local Planning Authority. Following completion of measures identified in the approved

remediation scheme a verification report must be prepared and submitted which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure risks from contamination are minimised.

### **Informatives**

#### **National Planning Policy Framework Statement**

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.

#### **Reasons for the Decision:**

- The full application seeks planning permission for the Construction of a three metre wide multi-use path between the station approach road – Bull Lane – to Maiden Newton Railway Station and the former Branch Line to Bridport track bed which is a cycle track/footpath. The site lies in the DDB for Maiden Newton and the proposal promotes accessibility to sustainable transport development – walking and cycling use – the principle of development is acceptable.
- The layout and design details are acceptable.
- There would be no significant harm to neighbouring residents' amenity.
- There would be some loss of self-set trees on the site and an impact on wildlife habitat in respect of reptiles. A certified approved Biodiversity Mitigation Environment Plan accompanies the application.
- There are no material considerations which would warrant refusal of this application.